



November 30, 2017

Chairs and Members of the Licensing and Standards and the Public Works and Infrastructure Committees  
Toronto City Hall

Re: JC1.1 Harmonized By-Laws and Fees for Sidewalk Cafes, Parklets and Marketing Displays

The Federation of North Toronto Residents Associations, (FONTRA), a member of *Sidewalks for All*, appreciates this comprehensive review of regulations for managing cafes, parklets and marketing displays in the public realm. These are important uses that help make our fast growing City more vibrant and liveable.

#### 1. SIDEWALK CLEARWAY WIDTH

FONTRA agrees with *Sidewalks for All* support of proposed 2.1 metre clearway, noting this width is part of the City's Vibrant Streets Guidelines, and that 2.5m is proposed for certain Downtown streets that are wider than 5m. There must be a base standard to ensure safety and accessibility on our sidewalks. We also agree with the additional *Sidewalks for All* recommendations for changes to the report regarding regulations for: measuring width from an existing edge zone, making clearway shifts cane-detectable, increasing enforcement, and earlier phasing in of the new regulations.

Additional regulations must be developed for the many streets in the City with high pedestrian traffic, where the proposed clearway widths are inadequate, both in the Downtown and on such streets in other parts of the City, such as Yonge, especially at the Yonge and Eglinton Growth Centre and at the North York Centre as well as Bloor, the Danforth, Queen etc. Both Midtown in Focus and ToCore recommend wider sidewalks. We note that Toronto's Municipal Code already requires greater clearways for busy sections of specific streets: Spadina, 3.05 metres; Dundas Street West, 3.05 metres; Danforth Avenue, 3.0 metres; and parts of Downtown Yonge Street, 3.6 metres.

In addition, the Harmonized By-law must also consider the use of setback areas required for new and proposed developments to expand the "public realm" and to what extent should they be filled up with cafes instead? For example, the proposed Yonge Eglinton Secondary Plan includes widening sidewalks, but not for café use:

##### "3.2.18 Eglinton Green Line

(b) All buildings on the north side of Eglinton Avenue between Yonge Street and Mount Pleasant Road will be set back a minimum of 12 metres at grade and above established grade from the property line adjacent to Eglinton Avenue.

##### 3.2.19 Yonge Street and its Squares

(b) Development adjacent to Yonge Street will accommodate and provide wide sidewalks and pedestrian clearways. All buildings will be set back a minimum of 1.5 metres at grade

from the property line adjacent to Yonge Street.”

A recent development project on Yonge St. south of St., Clair, now complies with the Yonge St, Clair Secondary Plan that requires a 6m. setback for an expanded sidewalk area; we did not anticipate it could be filled with patios leaving only a 2.1 m clearway, much too narrow for such a high pedestrian use area.

## 2. UTILITIES

Regarding consideration of café locations, the report notes the need to protect access to utilities in the sidewalk where cafes are to be located. A further consideration must be that sidewalk safety and accessibility can be affected by utility locations. The new large Enbridge above grade installations, being considered in the PW.24.4 Utility Placement Guidelines report before City Council in December, can intrude substantially into the sidewalk. FoNTRA has objected to such installations in sidewalks because of their impacts on sidewalk clearway widths.

## 3. NOISE FROM CAFES AND NOTICE TO THE PUBLIC

Noise from sidewalk cafes can be an issue for nearby residents, whether living on flanking streets or above the cafes. We are pleased to see Proposed By-Law provision 68., which requires that a sidewalk café located on a local road be closed and cleared of customers by 11 pm. In addition, we are pleased to see provision 72., which prohibits amplified sound and requires doors and windows be closed if there is amplified sound inside. But the impacts of unamplified sound, particularly late at night, that affect residents who are close neighbours? Permitted hours of operation should be carefully considered by location. Provision 73. permits amplified sound for a curbside café or parklet café, if there is a street event permit under Chapter 745, Streets and Sidewalks. The criteria for exemption are important. We are pleased to see that the notice of an application is to be posted on the site The notice must also include the criteria for approval of such exemptions and a contact number. A contact number should also be provided regarding 7, which requires posting of application for a café on the site.

We ask that your Committees support our recommendations for improvements to the proposed Harmonized By-Law,

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Co-Chair, FoNTRA

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**The Federation of North Toronto Residents' Associations (FoNTRA)** is a non-profit, volunteer organization comprised of 30 member organizations. Its members, all residents' associations, include at least 170,000 Toronto residents within their boundaries. The residents' associations that make up FoNTRA believe that Ontario and Toronto can and should achieve better development. Its central issue is not *whether* Toronto will grow, but *how*. FoNTRA believes that sustainable urban regions are characterized by environmental balance, fiscal viability, infrastructure investment and social renewal.